



Order Filed on October 20, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

HLADIK, ONORATO & FEDERMAN, LLP

Antonio Bonanni, Esquire

Attorney for Movant

298 Wissahickon Avenue

North Wales, PA 19454

(215) 855-9521

Attorney for CARVANA, LLC

In Re:

CHRISTINE P. KRUSE

Case No: 20-11925-JKS

Hearing Date: 10/08/2020 @ 10:00am

Chapter: 13

Judge: JOHN K. SHERWOOD

Recommended Local Form: ☐ Followed ☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

**DATED: October 20, 2020**

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

Applicant: CARVANA, LLC  
Applicant's Counsel: Antonio Bonanni, Esquire  
Debtor's Counsel: Ralph A Ferro, Jr, Esquire  
Property Involved ("Collateral"): 2016 BUICK ENCORE, VIN #KL4CJFSB9GB684065  
Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay  
against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 8 months, from 02/22/2020 to 09/22/2020.
- ☒ The Debtor is overdue for 8 payments at \$510 per month.
- ☒ The Debtor is assessed for 1 late charges at \$5.00 per month.
- ☐ Applicant acknowledges funds in the amount of \$\_\_\_\_\_ in Debtor's suspense.

Total Arrearages Due: \$4,085.00.

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$\_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.
- ☒ Beginning on 10/22/2020, regular monthly mortgage payments shall continue to be made in the amount of \$510.00.
- ☒ Beginning on 10/22/2020, additional monthly cure payments shall be made in the amount of \$200.00 for 4 months.

☒ A final payment shall be made in the amount of \$3,285.00. Payment shall be made no later than 01/31/2021.

3. Payments to the Secured Creditor shall be made to the following address(es):

Carvana LLC

P.O. Box 29018

Phoenix, AZ 85038

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, or the instant Bankruptcy case converts to a Chapter 7, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ The Debtor will tender the immediate payment by way of Certified Funds. All future monthly payments will also be tendered in Certified funds.

☒ The Debtor will provide proof of insurance to Movant by 10/30/2020.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorney's fees of \$\_\_\_\_\_, and costs of \$\_\_\_\_\_.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☒ Attorney's fees are not awarded.

/s/ Antonio, Bonanni

Antonio, Bonanni, Esquire

Attorney for Movant

Hladik, Onorato & Federman, LLP

/s/ 

Ralph A Ferro, Jr, Esquire

Attorney for Debtor

/s/

Honorable John K. Sherwood

In re:  
Christine P. Kruse  
Debtor(s)

Case No. 20-11925-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Oct 21, 2020

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 23, 2020:

Recip ID	Recipient Name and Address
db	+ Christine P. Kruse, 159 Vista Terrace, Pompton Lakes, NJ 07442-1476

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 23, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 21, 2020 at the address(es) listed below:

Name	Email Address
Antonio G. Bonanni	on behalf of Creditor CARVANA LLC abonanni@hoflawgroup.com, pfranz@hoflawgroup.com
Denise E. Carlon	on behalf of Creditor SPECIALIZED LOAN SERVICING LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Ralph A Ferro, Jr	on behalf of Debtor Christine P. Kruse ralphferrojr@msn.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5